Case 16-40099

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**EOD** 70/5

## THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	§	
	§	
RYAN DEAN SAMUEL	§	CASENO. 16-40099-P
XXX-XX-0813	§	
1600 MAPLELEAF DRIVE	§	CHAPTER 13
WYLIE, TX 75098	§	
•	§	
CHRISTY LYNN SAMUEL	§	
XXX-XX-9662	§	
	§	
DEBTORS	8	

## ORDER DENYING CONFIRMATION OF CHAPTER 13 PLAN, SETTING 30-DAY DISMISSAL DEADLINE FOR FILING NEW CHAPTER 13 PLAN, AND SETTING FINAL DISMISSAL DEADLINE PERTAINING TO PLAN CONFIRMATION

ON THIS DATE, the Court considered the Confirmation of the Chapter 13 Plan proposed by the Debtors in the above captioned case. For the reasons set forth below, the Confirmation of the Chapter 13 Plan should be denied. In light of the failure of the Debtors to confirm a Chapter 13 Plan, and in order to insure the prompt administration of this case and to prevent any abuse of process, good cause exists for the entry of the following Order:

IT IS THEREFORE ORDERED that Confirmation of the Chapter 13 Plan proposed by the Debtors is DENIED without prejudice to the rights of the Debtors to file a new Chapter 13 Plan.

IT IS FURTHER ORDERED that the Debtors file a new Chapter 13 Plan within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that, in the event the Debtors fail to file a new Chapter 13 Plan within thirty (30) days of the date of this Order, absent a further order of the Court extending such deadline for cause shown, or in the event the Debtors thereafter fail to confirm such new Chapter 13 Plan upon consideration by the Court under its normal procedures, this Chapter 13 case shall be dismissed, pursuant to §349(a) of the Bankruptcy Code, without further notice or hearing and with prejudice to the rights of the Debtors to file a subsequent petition under any of the provisions of Title 11, United States Bankruptcy Code, for a period of one hundred twenty (120) days from the entry of the order of dismissal, and the Chapter 13 Trustee shall be authorized, following the payment of any allowed administrative expenses, to remit any sums remaining in her possession to the Debtors.

Signed on 04/22/2016

Brenda T. Rhoader	SD	
HONORABLE BRENDA T. RHOADES,		
CHIEF UNITED STATES BANKRY	UPTCY JUDGE	

MCC

APPROVED AS TO FORM:

DEMARCO-MITCHELL, PLLC

Attorney for Debtors

REASONS FOR DENIAL:

Behind on plan payments

Amended plan to be filed

Other: